



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: HARTAL=1B

In re Application of:

Dov HARTAL et al

Appln. No.: 09/449,093

Date Filed: November 24, 1999

FOOT-NATURAL COLORING PRODUCTS

) Art Unit: 1761

) Examiner: C. Sherrer

) Washington, D.C.

) March 30, 2001

) **FINAL ACTION, PLEASE
EXPEDITE!**

REPLY TO FINAL ACTION: AMENDMENT AND REMARKS

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Replying to Paper No. 7, a first Action final
rejection of the present CIP application, please amend
follows:

IN THE CLAIMS

Rewrite the following claims in amended form
follows (attached hereto is a marked-up version of the changes
made to the claims by the current amendment. The attached
version is captioned "Version with Markings to Show Changes
Made") :

1. (Amended) A coloring material in the red color
range comprising, as the color-imparting agent, chromoplast
particles encapsulating crystalline lycopene, said

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BOX AF 1761

In Re Application of: D. Hartal et al

Application No.: 09/449,093

Filed: November 24, 1999

For: NATURAL COLORING PRODUCTS



Art Unit: 1761

Examiner: C. Sherrer

Washington, D.C.

Atty.'s Docket: HARTAL=1B

Date: March 30, 2001

FINAL ACTION, PLEASE EXPEDITE!

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1761

Sir:

Transmitted herewith is a [X] REPLY: AMENDMENT AND REMARKS in the above-identified application.

[] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[X] No fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	0
INDEP.	*	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 40	\$
+ 135	\$
ADDITIONAL FEE TOTAL	
	\$

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 80	\$
+ 270	\$
TOTAL	
	\$

OR

OR

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 55.00
 [] Second - \$ 195.00
 [] Third - \$ 445.00
 [] Fourth - \$ 695.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00
 [] Second - \$ 390.00
 [] Third - \$ 890.00
 [] Fourth - \$ 1390.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on .

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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